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SWEDISH SAAMI POLICY, 1550-1990

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Abstract

In analyzing the specifics of Swedish Saami policy, the difference between measures that essentially were local applications of general national policy, and measures that were principally economically or ethnically discriminatory are maintained. Seven major periods of Swedish Saami policy are recognized from the introduction of royal administration in Lapland in 1550, to the disbandment of the Lapp police administration in 1971. The territorial and fiscal policy (1550-1635) can be seen as a local application of the general national policy that created the Swedish nation state. During the mining policy (1635-1673), Saami labour was forcibly extracted in a discriminatory way. The first colonization policy without Saami participation (1673-1749), put the traditional Saami economy on an equal footing with the agricultural economy. The second colonization policy with Saami participation (1749-1846) discriminated against the traditional Saami economy. The assimilation policy (1846-1913) added discrimination of the Saami people on ethnic grounds. The more appreciative stand arrived at through the paternalistic segregation policy (1913-1971), in practise created a system of institutional racism. The disbandment of the Lapp police administration in 1971 signifies the beginning of a period of political integration of the Saami in the Swedish society at large.

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Introduction

This overview of Swedish Saami policy is basically concerned with the creation of government policy, not generally with its implementation. Swedish Saami policy can broadly be described in a series of consecutive periods each dominated by a certain course of action taken by the government. In many cases the chronological division of these periods cannot be precisely determined. A practise adopted under one policy in many cases also continued during later periods. Yet, for the sake of clarity, in this paper I have chronologically separated the different periods of policy very precisely, allowing key decisions to determine their delimitations.

The study commences with the introduction of royal administration in Swedish Lapland in 1550. The territorial and fiscal policy then established continued until 1635 when silver ore was found in Lapland. The subsequent mining policy lasted until the issue of the settlement proclamation in 1673. The colonization policy changed with the settlement ordinance of 1749 allowing the Saami to enjoy the homestead privileges previously offered only to Swedish and Finnish settlers. A period of assimilation policy began with the decision in 1846 that the language of instruction in the Saami schools should be adapted to that of the majority in the parish. The Saami school act of 1913 signifies the introduction of a segregationist policy

towards the nomadic Saami. The foundation of the National Federation of Swedish Saami People in 1950 was a major event in Saami history, but it was not until the long overdue disbandment of the Lapp police administration in 1971 that a real change in government policy occurred.

Territorial and fiscal policy, 1550-1635

During the Middle Ages the greater part of Lapland was only indirectly subordinated to the Swedish Crown. The right of trade and taxation belonged to a privileged group of Swedish and Finnish merchant-farmers from the coastal area, the *Bircarls*.¹ During the first year after his ascension to the throne, Gustav Vasa only consolidated royal power. His ambitions soon exceeded the mediaeval frame, however, and in 1548 to 1550 Lapland was put under direct royal administration. Bailiffs were appointed and royal taxes in kind, fish and fur, were introduced. The new taxation of the Saami largely increased royal revenues. The income from Lapland became comparable with the aggregated agricultural taxes from the province of Västerbotten. Bailiffs were also judges, and assizes were held with mixed juries of *Bircarls* and Saami. A traditional Saami legal system, however, continued to exist parallel with the new royal courts. Two general motives can be found behind the new policy. First a fiscal one, with the object of increasing royal revenues. Then a territorial one, with the object of fortifying Swedish sovereignty over Lapland in competition with the Danish and Russian crowns.²

The monarches following Gustav Vasa tried to extend Swedish territory north to the Arctic Ocean, maintaining that Swedish taxation rights implied full territorial sovereignty. The ambition of the foremost proponent of this policy, Duke Karl, was to make all of northern Fenno-Scandia Swedish, thereby forcing the Western trade on Archangels back to the Baltic Sea and through Sweden's newly acquired Baltic ports. As a first step in his northern policy, in 1602 the duke decided to create an ecclesiastical organisation in Lapland, and to build churches and appoint clergy. The clergy would serve as the ideological spearhead in tying the Saami to the Swedish realm, beside giving credibility among other Christian powers of Swedish territorial demands. The church centres would also act as key points for an efficient control of trade and revenue. The annual fairs, the main vehicle of trade and exchange with the Saami, were to be held at the new churches, and the *Bircarls* were prohibited from visiting the Saami in their camps and villages.³

Centrally determined policy had unwanted and deeply disturbing consequences for the Saami society. According to Lennart Lundmark government intervention triggered the transformation from a hunter/gatherer society to a reindeer pastoralist society. Until the middle of the sixteenth century the Saami gained their livelihood as hunters and

¹Vahtola 1987:324.

²Olofsson 1962:316-318, 362-369, 428; Lundmark 1982:72-74; Lundgren 1987:43.

³Olofsson 1965:25, 33-34; Lundgren 1987:48-49.

gatherers, with only a few domesticated reindeer used for transport and as decoys. In exchange for furs, *Bircarls* and the Crown supplied them with considerable quantities of butter and flour. These foodstuffs reached the Saami in mid-winter and could be used to overcome the bottle-neck in food supply during late winter and early spring. The Saami population could therefore grow beyond the limits previously set by the hunting economy. In 1602 when the Crown began demanding large quantities of dried fish and reindeer in tax, in order to feed its armies in the Baltic, the basis for the larger Saami population was undermined. Starvation and flight to the Norwegian fiords took place, and in adaption to the new conditions the previously small herds were expanded to a size which could support the Saami as reindeer pastoralists.⁴

The implementation of the territorial and fiscal policy made the Saami far more subjugated to state power than during the Middle Ages. According to Nils-Gustaf Lundgren the people and the economy of Lapland became subordinated to taxation principles, vested interests, and institutional forms created by the central power that grew in southern Sweden. As a symbolic expression of this policy, Duke Karl, at his coronation as King Karl IX in 1607, included into the royal title the epithet: "King of the Lapps in the Northern country."⁵

Mining policy, 1635-1673

After the death of Karl IX in 1611 the aggressive territorial and fiscal policy came to an end and Sweden abstained from any further claims on Saami land in Norway and Russia. The government interests now became focused on expansion in the Baltic area and the Saami and their resources sank into the background. The rates of taxation were diminished and taxation rights were farmed out to private entrepreneurs. The permanent church organisation closed down and the new parishes in Lapland disbanded. A school for Saami was, however, founded in 1617, and in 1619 the first books in Saami were printed - a song book and an ABC book. Two Saami students were employed as school masters and a third was sent to Uppsala for university education.⁶

In 1635 a Saami, Peder Olsson, found silver ore at Nasafjäll close to the Norwegian border, and by the following summer mining had commenced by the Crown. Mining reintroduced Saami into the focus of national policy, as Lapland suddenly was seen as a treasury able to support Swedish ambitions of great power. Consequently, Swedish sovereignty was to be maintained westward to the watershed divide and the Saami were to be kept on Swedish territory. The territorial policy was therefore reintroduced, tax farming came to an end, schools and churches were built and parishes founded anew. Annual fairs were held at the churches, at the same time as court sessions, now with all Saami juries, and tax collection. The newly

⁴Lundmark 1982, 1989: *passim*.

⁵Olofsson 1965:44; Lundgren 1987:39-41.

⁶Olofsson 1965:188-189, 250, 256-259, 279-281. See also Fur (this volume).

chartered coastal towns were given a monopoly of trade with the Saami.⁷

The Nasafjäll mine was a financial disappointment, but new mineral finds kept the interest of the government alive. However, the net economic results of the mining projects were negative. In addition, the Saami were heavily burdened with demands for transportation that hindered them in their herding. When the Saami refused to comply with these demands the mining authorities resorted to force. This consequently triggered a flight from the area and a notable population decline in Lule and Pite Lapland. The governor of Västerbotten and Lapland, Johan Graan, himself of Saami descent, tried to countervene the exploitation of his people. According to his arguments, christianization was not enough if the Saami were to become faithful Swedish subjects. The Crown must also support their economy and vital interests and the forced involvement in mining come to an end. His advice was not taken and the conditions for the Saami did not improve until the mining policy was superseded. Later experience would show that remunerated transport services were much more efficient and did not interfere with Saami reindeer herding.⁸

Colonization policy without Saami participation, 1673-1749

In 1670 Governor Johan Graan suggested changes in government policy. He was now creating a land register recording Saami possession of land. The political aim of the land register was to give Saami land use the same kind of legitimacy as enjoyed by farmers in the coastal provinces. According to Sven Ingemar Olofsson, this meant that Saami resource utilization became a recognized factor in the total production of the country, in conformation with the dominating mercantilistic theory. Thus the recognition of the national value of the Saami economy forced the Board of Mines to end its destructive policy.⁹

The governor also suggested and organized colonization of Lapland by Swedish and Finnish farmers. The proposal was based on the notion that traditional Saami land use and agricultural land use could exist side by side without interference. This parallel theory was supported by the policy of economic separation followed by the Crown since the sixteenth century. The rights and duties of different groups and trades were to be kept apart in order to diminish the state's transactional costs for revenue collection. According to Nils-Gustav Lundgren, this policy in general met with difficulties in a national economy with little division of labour. A settlement proclamation was issued in 1673, promising tax privileges and exemption from military draft for homesteaders in Lapland.¹⁰

A new settlement proclamation was issued in 1695, underlining the demands for farming and clearing of new farm land. These requirements rested in an ignorance of the natural conditions in the sub-arctic forest and

in a fixation with grain as a taxable commodity. The real economic return of Lapland for both the Crown and the northern towns lay in the trade with Saami products. Yet it is characteristic of the prevalent view, that trade was largely ignored in policy creation. The settlement proclamations did not meet with any success. There did not exist a surplus farming population forced to seek its livelihood in the northern forests and only a few settlements were established.¹¹

During this period the church organisation came into its final form and independent parishes were formed all over Lapland. The traditional Saami religion was finally forced underground. At the court session in Arjeplog in 1682, it was revealed that traditional Saami religion was exercised parallel with Christianity in most of Lapland. The jury and the people supported the old beliefs and refused to give it up. Superior Court assizes were held to investigate the matter and a traditional believer was executed in 1693. However, it was not until the Læstadian revival during the 1850s that Christianity finally became internalised among the Saami.¹²

Colonization policy with Saami participation, 1749-1846

The Pietist revival that took place in Sweden after the Great Nordic War (1700-1721) initiated a new interest in Saami mission work and instigated changes in Saami policy. From 1723 the clergy in Lapland had to learn Saami and Saami schools were founded at the seven main churches. New books in Saami were also printed. In 1739 a special board of governors for the ecclesiastical administration of Lapland was created. The board had its seat in Stockholm and had leading members of the cabinet as governors. Its mandate was not limited to church matters and it came to function as a special government for Lapland, superior both to the bishop of Härnösand and the governor in Umeå. After 1752 its powers diminished, but until its disbandment in 1801 the board had great influence over Saami policy.¹³

In 1740 the new board began an intensive inquiry into the possibilities of settling Lapland with a farming population. Now, however, for the first time rebuttals of the official aims were heard. Pehr Högström, who had spent many years as vicar in Lapland, declared that the Saami were more important for the country than the homesteaders. The Swedish border commissioner, Christoffer Stobée, maintained that the settlers usually hampered the more productive Saami. Yet, the counter arguments were in vain. In 1749 a settlement ordinance was issued. The only results gained by the critics were a restriction of the hunting and fishing rights of the homesteaders. The new ordinance opened the settlement privileges for the Saami, an enactment of great importance for the future.¹⁴

During the eighteenth century the importance of Saami trade attracted official attention and fear was expressed that the Saami would take their

⁷Olofsson 1974:3-5, 11-12, 21-22, 24, 27.

⁸Olofsson 1974:25, 28-31, 37-40; Lundgren 1987:60-62; Lundmark 1982:167.

⁹Olofsson 1974:44-50.

¹⁰Olofsson 1974:44-50; Arell 1979:5-9; Lundgren 1987:42.

¹¹Olofsson 1974:52-53, 62-66; Arell 1979:8-11.

¹²Göthe 1929:226; Olofsson 1974:56-58; Lundgren 1987:55-56. See also Fur (this volume).

¹³Olofsson 1974a:499-504, 528; Stormyr 1974:49.

¹⁴Olofsson 1974a:522-528; Arell 1979:11-16.

goods to Norway. But this attention did not have any real influence on policy making. Reindeer herding and other traditional land Saami use was left to itself and the gates of colonization were opened. As both settlers and Saami were regarded as necessary for a viable economy in Lapland, the government tried to protect both ways of life in accordance with the parallel theory. In court cases over land use the Saami usually won until the end of the 1780s. Thereafter they regularly lost in conflicts where their fishing rights were confronted with agricultural interests.¹⁵

Saami land was usually treated in the same way as freehold farm land, as opposed to land held in copyhold from either the Crown or the nobility. That meant that parcels of Saami land could be inherited, bought and sold, the title being entered into the land register, and be used as it pleased the holder as long as the taxes were payed. But after the 1760s the government started to regard Saami land as being the property of the Crown, and the individual possessors of Saami land as permanent tenants of the Crown. The royal prerogative in the treatment of Saami land was a local application of the increasingly nation-wide royalistic doctrine that sprung up at this time. An indication of the new practice was the transfer of granting title to Saami land from the courts to the governors. After 1809 a general rejection of the royalistic doctrine took place in national politics. The new liberal policy was, however, not applied to the Saami. During the nineteenth century the provincial governments regarded Saami land as belonging to the Crown and the courts were of the same opinion. In 1827 the Saami right to inherit land was rejected in Norrbotten as Saami land rights now were only regarded as a right of usufruct. In 1828 provincial authorities even stated that they thought themselves empowered to remove a tax paying Saami from his land if he lost his reindeer herd.¹⁶

By mid eighteenth century the Saami dominated the economy of Lapland and the trade of northern Sweden. By mid nineteenth century the picture was totally changed, as the traditional Saami economy remained static and therefore lagged behind. The number of Saami maintaining a traditional way of life diminished, owing to a large migration to the Norwegian and Swedish coastlands and through the adaption of a settled life by many. The sedentary population of Lapland grew through the influx of Saami homesteaders and by a large increase in the old settled population. The demographic conditions were such, that the nomadic Saami population had the largest infant mortality in Sweden, while the sedentary population in Lapland had the lowest. These population changes transformed the ethnic and economic balance in Lapland. In the coastal areas of northern Sweden a large increase in population also took place, as well as an important proto-industrial development. Therefore, the relative importance of the traditional Saami economy decreased and Saami bargaining power in relation to the society at large diminished.¹⁷

¹⁵Olofsson 1974a:531-536; Bylund 1956:234-236.

¹⁶Almqvist 1928:448-449; Prawitz 1967:21, 26,30; Mörner 1980:438; Korpijaakko 1985, (1):117-120.

¹⁷Arell 1979:22-31; Kvist 1986:30-32, 1989: *passim*; Brändström 1988: *passim*.

Assimilation policy, 1846-1913

During the nineteenth century racial ideas gained broader adherence and science began to draw conclusions about the connection between physical traits and mind. Races and ethnic groups were ranked and their cultural state seen as an expression of inherited traits. In Swedish literature at the end of the nineteenth century a derogatory view of the Saami is often put forward. They are described as unsteady, suspicious, drunkards and childlike. These opinions are frequently presented in racial terms, although some authors instead saw the supposed Saami backwardness as an expression of cultural or environmental factors. According to Brit Upman, it is indicative that authors characterizing the Saami as more or less racially inferior, also were proponents of the economic development of Lapland by the dominant society. The nomadic way of life was associated with a lower stage of development and many predicted the eventual dying out or assimilation of the Saami. The derogatory view present in literature also appeared in parliamentary debate. The disappearance of the Saami as a people was often seen as something inevitable by many members of parliament. The main idea in parliament seems, however, to have been paternalistic, seeing the Saami as a weaker people in special need of government protection.¹⁸

The expansion of forestry from the 1870s led to a heavy influx of non-Saami workers, and from then on the non-Saami population dominated Lapland. Special legislative enactments for the province were gradually abolished and general law introduced. The general tax act became applicable in 1873 and the liquor prohibition abolished in 1897. An assimilatory school policy was adopted. In 1846 the language of the Saami schools was adapted to that of the majority in the parish. In 1877 Saami schools were opened for non-Saami and Swedish became the main language. The use of Saami in church also diminished. Leaders of the assimilation policy were the bishop of Härnösand, Lars Landgren (1876-1888), and his successor, Martin Johansson (1888-1908).¹⁹

An economic interpretation of Saami ethnicity has a long standing in Swedish policy-making and administrative practice. At least since the introduction of the parallel theory, a difference was maintained between a Saami livelihood (*lappmannanäring*) and an agricultural livelihood (*lantmannanäring*). A Saami livelihood was gained through hunting, fishing and reindeer herding. The persons pursuing this way of life were regarded as ethnic Saami, which indeed most were. Settlers and farmers on the other hand pursued an agricultural way of life and were regarded as ethnic Swedes or Finns, even if they were Saami or of Saami descent, which very many were. From the 1870s this interpretation of ethnicity gained strength and decision-makers only regarded those pursuing a traditional Saami way of life, and especially reindeer herding, as Saami and worthy of government protection. The other Saami were officially ignored. As more

¹⁸Upman 1978:34-36, 41-43, 45-46, 85-86.

¹⁹Upman 1978:99, 115-117; Sjölin 1981:38-41; Lundgren 1984:7-13; Henrysson 1986:10-11; Sköld & Kvist 1988:250.

and more Saami over the years left the traditional way of life, the consequence of this non-policy was the loss of ethnicity for a large number of Saami, and a total disregard for the ethnic rights of the majority of Saami who were not reindeer herders. The long term results of this non-policy can be seen by the fact, that in 1975, 20% of the non-herding Saami population could not understand Saami, 40% could not speak Saami, 65% could not read Saami, and 85% could not write Saami.²⁰

Segregation policy, 1913-1971

The paternalistic policy towards Saami pursuing a traditional way of life was characterized by notions of segregation. The nomads could only be protected by separation from the general population. The special legislative enactments for Lapland were superseded by special legislation for a specific ethnic group, the nomadic Saami. Through the reindeer grazing acts of 1886 and 1898 the Saami definitely lost their ownership to land, and individual pasture rights were made into an exclusive communal right for the Saami villages. These acts signified a desertion of the parallel theory. The government was no longer prepared to grant the Saami any rights that would diminish the claims of farming and forestry. Arguments in favour of this policy often stressed the negative in the traditional Saami way of life. A feature of the grazing acts, stressed by Hugh Beach, was the beginning of a series of fractional divisions of the Saami. The first act of 1886 focussed the right to reindeer grazing, hunting and fishing only upon reindeer herding Saami. While all Saami were free to devote themselves to herding under the acts of 1886 and 1898, this right was heavily restricted under the acts of 1928 and 1971. Saami rights were henceforth seen as privileges granted by a benevolent state.²¹

The reindeer grazing acts also formally diminished the political status of the Saami. Since reindeer grazing rights were not assessed as taxable property, they did not grant general or municipal suffrage before the introduction of the general suffrage for men in 1909 and the abolishment of the graded municipal suffrage in 1919. To enforce the grazing acts, a special police administration (*lappvårdset*) with superintendents and agents was introduced. These officials did not only enforce the grazing legislation, but were also responsible for welfare services, care of the aged, education, and for 'protecting' the Saami in general. This new administration became an increasingly powerful force, usurping the Saami people's right to make decisions about their own lives. While the rest of the society was set on a course towards increased democracy and citizen participation in public life, the Saami became more and more subordinated to the administration. The low status of Saami civil rights can be seen in the forcible removal of northern Saami to southern Saami villages during the 1910s and 1920s.²²

In 1908, the first bishop of Luleå, Olof Bergqvist, a fervent adherent of a

segregationist policy, was appointed chairman of a Royal commission on Saami schools. The report of the commission recommended a continuation of a separate Saami school system. The need for schools that would not induce the Saami children away from their traditional way of life was stressed. The report suggested that the Saami were best adapted to utilize the mountain ranges that otherwise would be unused, and that it therefore was in the public interest to protect their way of life. They were also seen as in special need of protection from the encroaching civilization, and lacking the physical and psychological stamina needed for farming. This line of argument was also supported by the influential lappologist K.B. Wiklund. The Saami school act of 1913 was based on this report and introduced the infamous tent schools (*kåtaskolor*). In order not to spoil the Saami children, the schools were to be held in tents or huts. In spite of its motives, the act was ambivalent regarding language of instruction, maintaining the need for Swedish in some classes. This act only applied to nomadic Saami, and children from other Saami families were directed to the Swedish school system.²³

The Saami criticised the new school system, and the opposition against it was instrumental in making the first Saami national congress possible in 1918. A new school act in 1925, although based on a report of a commission with Saami participation, did not change the basic principles of the school system. Swedish was, however, generally made the sole language of instruction. The ambition of the new school act was to put the Saami school system on the same footing as the Swedish schools. Yet, according to Per Idivuoma, himself educated in this system, four semesters in tents and huts did not prepare the pupils for a proper understanding of society. Tents and huts dominated as school buildings between 1916 and 1940, but Saami opposition led to their gradual disbandment in accordance with the new school act of 1938. It was not until 1962 that the Saami school system was opened to Saami children outside the herding way of life. Yet, as late as 1975 only 5% of Saami school children attended Saami schools.²⁴

Political integration, 1971-1990

The first national Saami congress was held in 1918. The radical member of parliament, Carl Lindhagen, who was in close contact with the Saami leaders Torkel Tomasson and Gustaf Park, persuaded the parliament to give the Saami an opportunity to make their opinion known. The main concern referred to proposed amendments to the grazing act of 1898 and the school act of 1913. A second conference took place in 1937, and a third in 1948. Local Saami organizations did already exist in 1918 and the idea of a central organization was brought up as early as 1904. The Saami interest concerning the reindeer grazing convention with Norway in 1919 increased the organizational efforts. Yet, it was not until after the Second World War that

²⁰Sweden 1975:344; Mörner 1982:48-49; Sjölin 1981:38, 81; Korpjaakko 1985, 2:140-145.

²¹Mörner 1982:48-49; Beach 1988; Idivuoma 1990:138.

²²Sjölin 1981:35, 95-98, 196-197, 1982:86; Beach 1988.

²³Upman 1978:45-47; Henrysson 1986:12-13.

²⁴Henrysson 1986:14-16; Beach 1988; Idivuoma 1990:11-12, 38-40, 239-240.

a central Saami federation came into being.²⁵

The German occupation of Norway prevented the Swedish administration from a strict enforcement of the grazing regulations. This had a positive effect on reindeer herding and gave the Saami new self confidence, proving that they could run things better on their own than under the guardianship of the police system. After the war, however, the administration wanted a return to the old ways and managed to push through new village by-laws that in minute details would regulate herding for the next thirty years. As a reaction against this attack on their newly won freedom of action, the Nation Federation of Swedish Saami People (*Svenska Samernas Riksförbund*) was founded in 1951 by Gustaf Park, Israel Ruong and Nils Petter Stenberg. From 1951 national congresses are held annually. Later on the National Saami Cultural Federation (*Riksorganisationen Same-Átnam*) was founded, and in the 1980s the Confederation of Swedish Saami (*Landsförbundet Svenska Samer*) came into being, composed primarily of non-herding Saami.²⁶

Fifty years after the winning of citizen's rights by the Swedish working class, the Saami were still put under guardianship. The late nineteenth century thesis that a Saami society could not administer its own assets was still alive as late as in the 1970s. Strangely enough, old labour organizers and working class fighters like Gunnar Sträng (minister of finance) and Torsten Nilsson (as minister of agriculture responsible for Saami affairs, later minister of foreign affairs) could not accept that the Saami wanted to speak for themselves. Through the SSR, however, the Saami gained a voice in Swedish society that could not be denied them by the administration. When Israel Ruong became president of the SSR in 1959 he gradually convinced the responsible minister that the SSR was a positive factor in Swedish society.²⁷

In 1971 the old police administration was abolished and a new service put up devoted to the economic improvement of reindeer herding. The Saami became emancipated from the old oppressive system and were finally put in a position to manage their own affairs. The government, however, failed to change its policy from one focusing on reindeer herders to one taking into account the whole Saami national minority. In 1977 a Saami bill was introduced by the then non-socialist government. The bill was based on an extensive Saami cultural commission which was appointed in 1971. In the debate on this bill, the then responsible minister for Saami affairs, Jan-Erik Wikström acknowledged the indigenous status of the Saami, saying that: "[The] Saami constitute an ethnic minority in Sweden, who in their role as an indigenous population in their own country assume a special position both to the Swedish majority and to other minority groups." The minister continued to say that: "... the basic concept of the special position of the Saami implies that in implementing public aid to Saami culture, room should be given to other judgements than those that can be made regarding

²⁵Idivuoma 1990:38-43, 48-51.

²⁶Idivuoma 1990:31-32, 52-53; Beach 1988.

²⁷Idivuoma 1990:62, 97, 104, 127, 143.

other minority groups in Swedish society."²⁸

An institutionalized favouring of the dominant population in economic competition still exists. This led the Saami to contest Crown ownership of the reindeer grazing mountains of Jämtland and Härjedalen in an effort to stop land encroachment and assert Saami land rights. After 15 years of litigation, the Supreme Court of Sweden in 1981 decided the Tax Mountain case by denying the Saami motion. At first the disappointment was great, but gradually the Saami realized that the judgement was a step forward. The courts had granted them the right of legal action previously denied them by the government. Earlier the government maintained that legal proceedings in Saami matters should be handled by the police administration or the Board of Treasury. In its judgement, the Supreme Court said that existing usufructuary Saami land rights, although fully regulated by the reindeer herding act, did not emanate from parliamentary legislation, but were independent rights under civil law.²⁹

Since the Second World War, when the Norwegians experienced foreign domination during the German occupation, Norway has been the leading country in developing new Saami policy. The conflict over the damming of the Kautokeino-Alta waterway embarrassed the Norwegian government and the Norwegian people, and led to the creation of a Royal commission on Saami rights in 1980. In Sweden, SSR, having abandoned the policy of legal confrontation, managed, citing the Norwegian example, to persuade the government to put up a Saami rights commission in 1983, too. The Swedish commission worked half a step behind its Norwegian counterpart, but its proposals were far less radical than they. When criticized for this, Saami members of the commission said that they only put forth what was politically acceptable. The implication is that, in Sweden less radical propositions are more acceptable than in Norway.³⁰

The Swedish Saami rights commission suggested the creation of a Saami Assembly as a focal point for Saami self determination, an increased use of the Saami language, and a change in legislation to embody the principles set forth by the Supreme Court in the Tax Mountain case.³¹ Enlargement of Saami hunting rights in the wake of the Tax Mountain case, however, had led to a forceful reaction among the non-Saami majority of Lapland. Further proposals from the commission suggesting negotiating rights for the Saami before the start of large-scale logging, had farmers, loggers and forest companies come together with already discontent hunters in a large anti-Saami rights opinion. Three of Sweden's largest forest companies, together with hundreds of small farmers and landowners, sued the Saami villages of Härjedalen in an as of yet (1991) undecided case, contesting their right to reindeer grazing in the area. The government has to date (1990) not presented a Saami rights bill to the parliament. A proposed minor amendment of the reindeer herding act was thrown out by a parliament that, on Saami instigation, insisted on a full bill. Furthermore,

²⁸Beach 1988; Idivuoma 1990:130, 158-161; Niia 1991:151-153.

²⁹Jahreskog 1982; Idivuoma 1990:111-115; Wheelersburg 1990:112-117.

³⁰Beach 1988; Niia 1991:149-150.

³¹Sweden 1986, 1989, 1990.

in spite of Norway and Finland signing, the Swedish government has of yet (1991) not signed the International Labour Organization (ILO) Convention 169 concerning indigenous and tribal peoples in independent countries.³² Government policy is obviously affected by the strong anti-Saami rights reaction, and a wish not to alienate a northern electorate usually supportive of government policy but recently embittered by changes in the tax system. In the meantime Saami self-determination seems as distant as ever.

Conclusions

Nearly 450 years of Swedish Saami policy can be seen as an era of outsiders imposing their will on the Saami nation. The Saami experience is therefore, in general, not different from that of other colonized peoples. Yet, in making comparisons with North American native policy, it is important to note that no initial contact date can be established for the meeting of Saami and Scandinavians. In fact, the ancestors of both the Saami and the Scandinavians co-existed for thousands of years, and Saami and Scandinavian ethnogenesis took place in a situation of mutual cultural and genetic exchange. The Saami were therefore not a foreign or savage people in the eyes of Swedish policy-makers.

The Saami differed in culture and language from the yeoman of central Sweden, but in the multinational Swedish realm so did also the slash and burn cultivator in Finland or the Estonian and German serfs in the trans-baltic provinces. These factors also explains the Saami involvement in the agricultural colonization and the rather easy assimilation of the Saami into the majority culture. It was not until the introduction of racist and social-darwinist ideas at the end of the last century that both decision makers and public opinion began to view the Saami as savages doomed to disappear. It was not even unusual that direct comparisons were made between Saami and Indians, both being seen as peoples doomed to disappear. In fact, at this same time a mental exoticization of the Saami occurred, leading to the paternalistic and segregationist policy of the present century that well deserves comparison with contemporary practises in North America.

³²The strongest rule of Convention 169 are found in article 14 concerning indigenous peoples right to land. Article 14 states:

1. *The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognised. In addition, measures shall be taken in appropriate cases to safeguard the right of peoples concerned to use lands not exclusively occupied by them, but to which they traditionally had access for their subsistence and traditional activities. Particular attention shall be paid to the situation of nomadic peoples and shifting cultivators in this respect.*
2. *Governments shall take steps as necessary to identify the lands which the peoples concerned traditionally occupy, and to guarantee effective protection of their rights of ownership and possession.*
3. *Adequate procedures shall be established within the national legal system to resolve land claims by the peoples concerned.*

In analyzing the specifics of Swedish Saami policy, the difference between measures that essentially were local applications of general national policy, and measures that were principally economically or ethnically discriminatory are maintained. Establishment of royal administration and the period of territorial and fiscal policy (1550-1635) can be seen as a local application of the general national policy that created the Swedish nation state. No part of the Swedish realm was exempt from it, nor can it be said that the majority of the population in the society at large benefited from it more than the Saami. The over-taxation of the Saami that occurred at the end of this period was not an experience confined to them. Indeed, the Saami were, during this and later periods, spared the consequences of war and military draft that fell heavily on other parts of the realm.

The basis for the mining policy (1635-1673) can be found in a desperate need by the central government to create a financial foundation for Sweden's imperial adventures. By using the military draft to recruit mine workers the government also involved the non-Saami population of the north in this policy. Yet, the enforcement of the Saami transportation duty was carried out with such little regard for Saami interests, that it primarily can be described as discrimination based on the different economy of the Saami.

The colonization policies were generally a local adaption of a national policy of creating new objects suitable for taxation. Although founded in a fixation with grain as a taxable commodity, the parallel theory embedded in these policies corrected the economic discrimination previously suffered by the Saami. The traditional Saami economy was put on an equal footing with the agricultural economy. The detrimental potential of the first colonization policy without Saami participation (1673-1749) was never realized as this policy in practice led to very few new homesteads in Lapland. The second colonization policy (1749-1846) allowed the Saami an equal participation in the agricultural colonization, which was of great importance. But the detrimental effects of colonization came into being during this period. The traditional Saami livelihoods became the victims of economic discrimination, and the Saami lost their direct and individual ownership of land.

The period of assimilation policy (1846-1913) added discrimination of the Saami people on ethnic grounds. The Saami were seen as members of an inferior culture bound to assimilate or disappear. The formally more appreciative stand taken by the paternalistic segregation policy (1913-1971) in practise created a system of institutional racism. The Saami were seen as incapable of handling their own affairs that had to be taken care of by the Swedish administration. The Saami organizations managed to overcome this policy and force the government to adapt a policy of political integration (1971-), but the former racist policy left a strong anti-Saami rights legacy among the non-Saami population of the north. The political impotency of the government in overcoming this policy makes it unlikely that Saami self-determination will be realized within the foreseeable future.

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